

your business you had better do so before this afternoon.

At 10 o'clock the McNamara brothers entered the court room with Clarence Darrow, their chief counsel. Both men were smiling and shook hands with many attorneys at the bar. The prisoners were without handcuffs. The brothers were handcuffed when they left the jail and during the walk across the street, through to the court and into the Hall of Records. Scores of photographers took snapshots. They were accompanied by a jailer and an assistant and were followed by seven deputy sheriffs.

PROSECUTOR GREETED PRISONERS' LAWYER IN COURT.

Court convened at 10:15 o'clock, having been delayed in opening by the arrangement of seats. District Attorney Fredericks and Clarence S. Darrow greeted one another and began allocating seats.

Judge Hendell first received the excuses of several venturers when he had instructed to return to-day.

BROTHERS HAVE GAINED IN WEIGHT IN JAIL.

"I have actually gained eleven pounds since they put me away here," said John J. McNamara to-day. "Physically and mentally I have spent a pleasant summer. Not once have I been uncomfortable, but I am glad my trial is at hand. I have nothing to fear from the outcome." His brother, who is alleged by the prosecution to be the "James Bryce" charged with planting the bomb at the Times Building, has gained five pounds.

"You see," said John McNamara when asked if he charged didn't worry him. "I belong to a class which has grown accustomed to injustice, almost from childhood. I get satisfaction from the knowledge that the charges are unjust and unfounded."

John is secretary-treasurer of the International Association of Bridge and Structural Iron Workers, and the prosecution alleges he is the brains of the dynamiting conspiracy. Jim says he doesn't mind being tried first because it will mean he will get out that much sooner.

At this, expected to be one of the greatest trials of the present century, a woman hit into the room.

After the woman had been told of the importance of the trial, she is being closely guarded by the prosecution, and is said to be a former stenographer of John J. McNamara in Indianapolis, who quarreled with him and has furnished the prosecution with valuable information.

EXPECTS THROUGH WOMAN TO TIGHTEN NET.

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Clarence Darrow declared to-day that these charges are about a wrong impression as to the financial condition of the defense.

"We have received all but \$120,000 instead of half a million," said Mr. Darrow. "The Meyer-Hayward trial cost between \$200,000 and \$300,000 and the evidence was confined principally to Idaho and Colorado. This case has called for extensive investigations in a dozen or more cities."

"We necessarily have to pay in advance for everything we get done for us. We have spent or gone in debt for every cent we have received, and we should have at least \$250,000 for the first trial. We have no manufacturers' relations to draw on, and it takes a great many twenty-five-cent contributions to meet the expense of such a battle."

Discussing the plans of the defense, Mr. Darrow said there would be no possibility of resting the case without calling a large number of witnesses. There will be brought from all parts of the country, but to avoid extra expense and annoyance they will not be called here until a jury is chosen and the prosecution's case is well outlined. Mr. Darrow sharply criticized the method of doing the venue, saying it was a waste of time and money to go to the lists, where he was able to find so few wage earners in the county. The defense, Mr. Darrow said, would be satisfied with a jury evenly balanced with wage earners and employers.

Provisions have been made in court for seventy newspaper correspondents from all over the country, and for an army of photographers. There is little room left for spectators.

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Mr. Engels did not motor to the Grand Union Hotel, where he is stopping, but sped swiftly to the Fifth street station. Detective Rumbarger rode back with him to Sharkey's hotel, where he arrested Sharkey.

When called to the stand, Mr. Thomas Spender Sharkey said it was true that Mr. Engels had been entertained in his room at Sharkey's and had bought many quarts of wine.

"And did you buy any wine?" asked Assistant District Attorney Medalla. "Why, no," replied Sharkey, with a pained expression, "of course not."

DID HE FAIL TO BUY ANY? THAT'S A CINCINCH.

"Is it possible that you failed to buy?" continued the young prosecutor. "It's a cinch," snapped Sharkey. Sharkey's testimony concerning the trip did not corroborate Mr. Engels.

"Were you not interested in a good customer like Mr. Engels?" was asked. "No," was the sure reply. "I don't want people to buy wine in my name. There's more profit in mineral water. I'd rather sell mineral water any day."

"How about those twenty cigars?" "Never had a decent cigar in the place," he replied.

"Asked how he came to unbind the five-dollar bill referred to in Mr. Engels' testimony, Mr. Sharkey replied: "He ordered two quarts of wine and didn't have the cash to pay. I handed him \$5 to get home on."

"Is it your custom to lend people \$5?" asked the young prosecutor.

"No," replied Sharkey, "I never lend people \$5."

"Did this gentleman say anything about being robbed in your place?"

"He did not," replied Sharkey, "and he must be dreamt it."

The defendant and his boss called several witnesses to back up the testimony that Engels had not been robbed, being robbed and as the company's representative could offer no testimony in rebuttal, Manager Osborn was discharged.

YES, HECAGED BOY, ILL CLAD, HUNGRY, 2 DAYS IN CELLAR

Five-Year-Old Prisoner's Father Admits Charge of Rare Cruelty.

BURNED HIS NOSE, TOO.

Worth, Accused by Rescued Son, "Punished" Child for His Play With Fire.

Frank Worth, a machinist for the New York Telephone Company, was arraigned before Magistrate Harris in the Yorkville Court to-day charged with locking his five-year-old boy George in the wooden in the cellar of his home and leaving the child there, half naked and half starved.

The young widower made no statement in court to excuse his cruel treatment of the child, nor did he explain why he had left his two other little children exposed in a cold apartment with scarcely any clothing to cover them. The case was set for a further hearing on Friday and Worth was held in \$500 bail.

IMPRISONED MOST OF TWO DAYS AND NIGHTS.

The machinist was arraigned on complaint of Agent Pizzaro of the Children's Society, who related that the little boy had been discovered yesterday by Water Inspector Solomon Levin when he happened to go into the cellar under the Worth home at No. 314 First avenue to inspect a meter.

Levin heard the little prisoner sobbing in the bin and broke open the door that held him in. The boy was barefooted, clad only in a ragged shirt and patterned trousers. He was blue from the cold. He told Levin that his father had locked him in the bin, off and on, since Sunday night.

It was an entirely different child who appeared before Magistrate Harris to-day. At the Children's Society he had been provided with shoes and stockings, warm underclothes and a neat brown suit. He had had three hot soups, meals and a fine night's sleep. On his way to court he had chipped to Agent Pizzaro:

"I like it in that warm place. I don't want to go back to papa."

NOSE BURNED WITH MATCH BY FATHER, HE SAYS.

In court the boy pointed to a burn on the end of his nose and said that his father had made it by holding a lighted paper under his nose. He also said that his father constantly beat him.

The father was arrested upon his refusal to surrender custody of the boy in the cellar, but explained that he had done so to cure the boy of a habit of playing with matches. He also said that his father had been playing with matches.

The mother of the three children died a year ago and the father has hired a child to take care of them while he was at work. The woman was not in evidence yesterday when Levin discovered the imprisoned child.

COLE WILL FILED.

Father of ex-Comptroller Divided Estate Before Death.

The will of William N. Cole, father of former Comptroller John S. Cole, filed for probate to-day leaves the residue of his estate, which the petition says is valued at "over \$500," to his wife, Annie O. Cole. The estate was valued at \$500,000.

The surviving children are Mrs. J. Cole, Frank Cole and Mrs. Alice Cole Campbell.

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AVENGER BEATEN DOWN WITH AXE BY HIS VICTIM

Convict Came Back With Stiletto to Kill Man Who Sent Him Away.

The first train into Harrison, N. J., to-day brought Angelo Donte into town, his heart surcharged with hate for the man who had caused his arrest for attempted murder five years ago.

Only yesterday the prison doors had swung open for him and the one thought that filled his mind as he regained his liberty was to be revenged.

William Green, the county contractor, for whom he had worked, had discharged him one day and Donte had hung about the job waiting for his chance. Then, as to-day, he had his stiletto ready.

Green's son, William, saw Donte just as he raised his stiletto to strike the old man. He sprang forward, grappled with Donte, and received the stiletto in his back, where it broke off short. Green threw his assailant from him and as the man started to run shot him in the leg. Then the police came and Donte was sent away.

To-day he could not find William Green, but he cried with joy when one of his compatriots told him that Green had died a year ago.

He found the younger Green in the yards of the Crucible Steel Works. He recognized the stalwart form at once, though Green's face was turned to him. Again, as five years ago, he gripped his stiletto, and stole upon the object of his hate.

As he raised it to strike, Green turned and threw up his arm to fend off the blow. Down came Donte's arm, and the blade severed the artery in Green's wrist. Green caught up a pick-axe and, swinging it broadside on, brought Donte down in a crumpled heap at his feet. Then Green staggered and fell.

Several of Donte's countrymen, who picked him up, bundled him into a carriage, saying they were taking him to the hospital. But instead they smuggled him to some hiding place where the police have not been able to locate. Green was rushed to his home at No. 32 Day street, Kearney, N. J., where the doctors fear that Donte's stiletto thrust will cost him his life.

ROBBED IN FLUSHING BY TWO HIGHWAYMEN.

Emmet J. Lake Battles With Youthful Thugs, but Is Overpowered.

Emmet J. Lake of No. 238 Golden avenue, Flushing, Queens, was held up blacked and robbed at 4 o'clock A. M. to-day at Jamaica and Hillside avenues, Flushing.

He was on his way home when two young men were built and powerful attacked him. He tried to get away and one of them struck him several times on the head with a blunt instrument. In the scuffle his right hand was badly bruised. His wallet was taken and Dr. Dicks, who is attending him, thinks the intervention of the hand averted a fracture of the skull.

While Lake was partly stunned he was robbed of a woman's gold hunting watch on which were the initials C. W. L., a gold chain with a gold clasp as a gift, a bunch of keys, Mr. Lake, who is sixty-five years old, was taken to his home after the assault. The thugs were both about twenty years old.

RICH SMUGGLER TESTIFIES.

Allen Goes Before Grand Jury Investigating Case of Mrs. Jenkins.

Nathan Allen, leather multimillionaire of Kenosha, Wis., and John R. Collins, the Memphis, Tenn., coal man, returned to New York to-day to appear this afternoon before the Federal Grand Jury, which is investigating the story of Mrs. Helen Dwyer Jenkins and a prominent New York financier having assisted Allen and Collins to smuggle her jewels into this city.

The Government has also filed suit against Allen for \$100,000 and against Collins, to recover the value of articles they pleaded guilty to smuggling for the benefit of Helen Jenkins. The Government has also filed suit against Allen for \$100,000 and against Collins, to recover the value of articles they pleaded guilty to smuggling for the benefit of Helen Jenkins.

COURT ENJOINS STRIKERS ON ILLINOIS CENTRAL.

SPRINGFIELD, Ill., Oct. 11.—On the application of the Illinois Central Railroad, Judge Humphrey in the United States Circuit Court to-day issued a temporary injunction restraining strikers from interfering with the road in the operation of its trains. A hearing on the motion for a permanent injunction will be held Nov. 6.

GANZEL SIGNS AGAIN WITH ROCHESTER CLUB.

ROCHESTER, N. Y., Oct. 11.—John Ganzel, manager of the Rochester Eastern League Baseball team, to-day set at rest reports to the effect that he was to manage the New York American League team. He had been in contract with the Rochester club owners for two years, with an option of his further services.

New Landslide Blocks Trains.

KINGSTON, N. Y., Oct. 11.—Another heavy landslide to-day blocked the West Shore Railroad track for a long distance and interrupted all traffic. Telephone lines were carried down and a very big hole was made in the earth. The landslide was covered with rock and dirt to a greater depth than before. Loose rock at the top makes dangerous the work of clearing away the slide.

Bailey Buys \$100,000 Horse.

TOLEDO, O., Oct. 11.—J. J. Mooney, Safety Director, to-day received word from his trainer, Alton McDonald, at Indianapolis, that he was buying a stallion. Electric Told had been sold yesterday to Senator Joseph Bailey of Texas for \$100,000. Bailey will place Electric Told on his farm at Lexington, Ky. Electric Told has a mark of 2000 and was bought by Mr. Mooney four years ago.

BATTALION CHIEF NEARLY KILLED BY FALL AT FIRE

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Knees Became Stiff

Five Years of Severe Rheumatism

The cure of Henry J. Goldstein, 14 Barton St., Boston, Mass., is another victory for Hood's Rheumatism Cure. This great medicine has succeeded in many cases where others have utterly failed. Mr. Goldstein says: "I suffered from rheumatism five years. It kept me from business and caused excruciating pain. My knees would become as stiff as steel. I tried many medicines without relief, then took Hood's Rheumatism Cure. It cured me and now I can move about as usual. I recommend Hood's."

Get it today in usual liquid form or chocolate tablets called Sarsatabs

MAY CALL MORGAN TO TEST OF \$5,000 DEAL IN MILLINERY

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